

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

CARLOS AUGUSTINE,  
  
Plaintiff,  
  
v.  
  
HEATHER SHIRLEY, et al.,  
  
Defendants.

No. 1:23-cv-00520-KES-SAB (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS, GRANTING  
DEFENDANTS' MOTION FOR SUMMARY  
JUDGMENT, AND DIRECTING CLERK OF  
COURT TO ENTER JUDGMENT

Docs. 24, 29

Plaintiff Carlos Augustine is proceeding pro se and in forma pauperis in this action filed pursuant to 42 U.S.C. § 1983. This matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

Plaintiff proceeds on his Eighth Amendment deliberate indifference claim relating to alleged contaminated water at Wasco State Prison. Doc. 11. On December 13, 2024, defendants timely filed a motion for summary judgment. Doc. 24. On May 28, 2025, the assigned magistrate judge issued findings and recommendations to grant defendants' motion for summary judgment, finding no genuine dispute of material fact as to whether defendants were deliberately indifferent to plaintiff's safety due to the level of Trichloropropane in Wasco State Prison's water. Doc. 29. The findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen days of service. *Id.* at 14. Plaintiff has not filed any objections and the time to do so has passed. *See* docket.

1 In accordance with 28 U.S.C. § 636(b)(1), this Court has conducted a de novo review of  
2 this case. After carefully reviewing the file, the Court finds the findings and recommendations  
3 to be supported by the record and proper analysis.

4 Accordingly:

- 5 1. The findings and recommendations issued on May 28, 2025, Doc. 29, are adopted  
6 in full;
- 7 2. Defendants' motion for summary judgment, Doc. 24, is granted; and
- 8 3. The Clerk of the Court is directed to enter judgment for defendants and close this  
9 case.

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12 IT IS SO ORDERED.

13 Dated: July 23, 2025

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16 UNITED STATES DISTRICT JUDGE  
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